

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2010 MAR 24 PM 1:04

DEPUTY CLERK 

VICENTE DOMINIQUE CHAVEZ,

Petitioner,

v.

RICK THALER,  
Director, Texas Dep't of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:10-CV-043

**ORDER OVERRULING OBJECTIONS,  
ADOPTING REPORT AND RECOMMENDATION  
AND SUPPLEMENT TO REPORT AND RECOMMENDATION,  
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

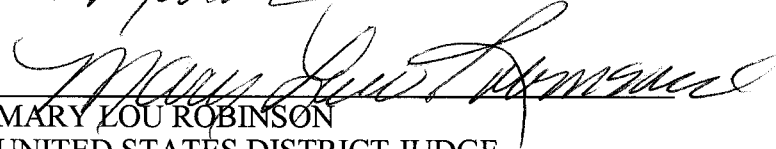
Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On February 19, 2010, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas petition be dismissed as successive. On March 2, 2010, petitioner filed objections to the Report and Recommendation. The United States Magistrate Judge then, on March 5, 2010, issued a Supplement to the February 19, 2010 Report and Recommendation, to which petitioner filed objections on March 16, 2010.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation and to the Supplement to the Report and Recommendation. The instant petition is successive. *See Gonzalez v. Crosby*, 545 U.S. 524, 531, 125 S.Ct. 2641, 2647, 162 L.Ed.2d 480 (2005). The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation and Supplement to the Report and Recommendation are hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed

by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 24<sup>th</sup> day of March 2010.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE